

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Application No.: 09/582,067

Filing Date: 21 June 2000

Inventor: Erzgraeber et al.

For: Semiconductor Substrate with Embedded...

Examiner: Fordé, R.

Group Art Unit: 2826

P. O. Box 381516  
Cambridge MA 02238-1516  
9 January 2003

Hon.  
Assistant Commissioner for Patents  
Washington DC 20371

**Petition under 711.03(c)II M.P.E.P.**

Sir:

This is in pursuance of several discussions between Mr John Chapman of the Patent & Trademark Office and the undersigned attorney.

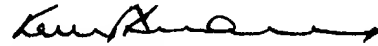
As explained to Mr Chapman and as set forth in the attorney's letter of 17 June 2002 (acknowledged to have been received by the PTO on 24 June 2002) the Official Letter of 18 October 2001 was not received by the attorney.

Had it been received, it would have been entered in a paper calendar with a due date of 19 November 2001 (18 November 2001 was a Sunday), its file would have been filed in chronological order in a filing cabinet reserved for pending Official Actions and, given the simple nature of the required response, a response would have been prepared and timeously filed with the PTO. No such entry was made in the calendar (see enclosure). After the attorney's submission of 17 June 2002 in response to the Notice of Abandonment of 3 June 2002, the file was placed in a filing cabinet reserved for Official Actions attended to and was subsequently removed to general files upon receipt of the post card by which the PTO acknowledged receipt of the attorney's 17 June letter.

Enclosed herewith is Applicants' provisional election, with traverse, of Group I, claims 1-3.

Applicants pray that their renewed petition to repeal the notice of abandonment and their earlier request in light of the *Caterpillar* decision (231 USPQ 590) to set aside the restriction requirement be granted.

Respectfully submitted,



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Karl Hormann

Registration No.: 26,470

Area Code 617.491.8867

23 FRIDAY

## Notes



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**ADDITIONAL INFORMATION**

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